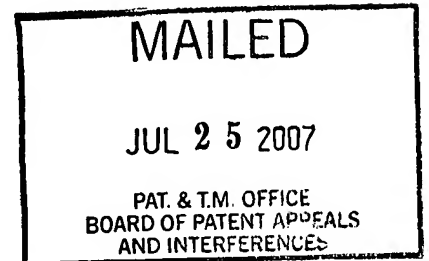


UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte STEPHEN ARKINSTALL, SERGE HALAZY, DENNIS CHURCH,
MONTSERRAT CAMPS, THOMAS RUECKLE, JEAN PIERRE GOTTELAND
and MARCO BIAMONTE

Application No. 10/088,090



ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received at the Board of Patent Appeals and Interferences on July 24, 2007. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner. The matters requiring attention prior to docketing are identified below.

On November 24, 2006, the Examiner mailed a Supplemental Examiner's Answer in response to Appellants' reply brief filed August 29, 2006. The Supplemental Examiner's Answer of November 24, 2006 is improper because it requires a Group Director's signature.

Also, the Supplemental Examiner's Answer mailed March 7, 2007, does not vacate the Supplemental Examiner's Answer mailed June 29, 2006, and therefore it also requires a Group Director's signature.

Accordingly, it is

ORDERED that this application be returned to the examiner to: 1) vacate the Examiner's answer mailed November 24, 2006, and mail a proper response to Appellants' reply brief filed August 29, 2006; 2) either get a Group Director's signature or designee for the Examiner's answer mailed March 7, 2007, or vacate Examiner's answer mailed June 29, 2006, and 3) for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By: 

PATRICK J. NOLAN

Deputy Chief Appeals Administrator
(571)272-9797

Application No. 10/088,090

cc: OBLON, SPIVAK, MCCLELLAND, MAIER
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PJN/lbg